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MGM Grand Hotel, LLC and Defendant
MGM Resorts International

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DWIGHT MANLEY,

Plaintiff.

V.

MGM RESORTS INTERNATIONAL; MGM
GRAND HOTEL, LLC.

Defendants.

Case No. 2:22-cv-01906-MMD-DJA

**STIPULATION AND ORDER TO
EXTEND BRIEFING SCHEDULE ON
PLAINTIFF'S MOTION TO COMPEL
[ECF No. 35] AND TO CONTINUE
HEARING**

(Third Request)

MGM GRAND HOTEL, LLC, a Nevada limited liability company,

Counterclaimant,

V.

DWIGHT MANLEY, an individual.

Counter-Defendant.

Pursuant to LR 7-1, LR IA 6-1, and LR IA 6-2, Plaintiff/Counterclaimant Dwight Manley ("Plaintiff"), Defendant/Counterclaimant MGM Grand Hotel, LLC and Defendant MGM Resorts International (together, "Defendants"), hereby submit this Stipulation to Extend Briefing Schedule

1 on Plaintiff's Motion to Compel (ECF #35). This is the parties' third request. As set forth below,
2 the parties are continuing their efforts to resolve the discovery dispute raised in Plaintiff's Motion,
3 and therefore request an additional two (2) week extension of the briefing schedule.

4 1. On August 16, 2023, Plaintiff filed his Motion to Compel (the "Motion"). (ECF
5 No. 35.) Specifically, Plaintiff moves to compel Defendants' responses to two (2) of his Requests
6 for Production of Documents – Request Nos. 15 and 16. (*Id.*)

7 2. On August 23, 2023, the Court set a hearing on the Motion for September 26, 2023.
8 (ECF No. 36.)

9 3. On September 1, 2023, the parties filed their first stipulation to extend the briefing
10 schedule on Plaintiff's Motion and to continue the September 26, 2023 hearing. (ECF No. 37.)
11 That same day, the Court granted the parties' stipulation and reset the hearing on Plaintiff's Motion
12 for October 20, 2023 at 10:00 a.m. (ECF No. 39.)

13 4. On September 12, 2023, Defendants served a supplemental document production,
14 as well as supplemental responses to Plaintiff's Requests for Production Nos. 15 and 16, which
15 Defendants believe provide the information sought by Plaintiff.

16 5. Thereafter, on September 13, 2023, the parties filed their second stipulation to
17 extend the briefing schedule on Plaintiff's Motion, which was subsequently granted by the Court.
18 (ECF Nos. 40-41.) Pursuant to that stipulation, Defendants' Opposition to the Motion is currently
19 due September 27, 2023, and Plaintiff's Reply is due on October 4, 2023. (*Id.*)

20 6. Counsel for Defendants is currently working to secure additional information
21 requested by Plaintiff's counsel for purposes of resolving this dispute. However, Defendants'
22 access to internal documents and/or information has been limited due to the recent cyberattack
23 against MGMRI properties, and as such, Defendants' counsel has yet to receive the requested
24 information.

25 7. In order for Defendants to obtain the requested information, and for the parties to
26 hopefully resolve this dispute, the parties hereby stipulate and agree to extend the deadline for
27 Defendants' Response by two (2) weeks, up to and including October 11, 2023. The parties further
28 stipulate and agree that Plaintiff's Reply brief shall be due on October 18, 2023, pursuant to LR 7-

1 2.

2 8. Considering the foregoing stipulation, the parties respectfully request that the Court
3 continue the hearing on the Motion in accordance with the above-mentioned briefing schedule.
4 Should the parties successfully resolve the discovery dispute regarding Plaintiff's Request for
5 Production Nos. 15 and 16, they will promptly notify the Court of the same and request that the
6 hearing be vacated.

7 This Stipulation is not made for the purpose of undue delay and is without prejudice to or
8 waiver of any parties' rights and arguments with respect to the aforementioned Motion.

9 Dated this 27th day of September 2023.

Dated this 27th day of September 2023.

10 By: /s/ Jason D. Smith

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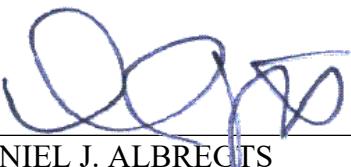
16 Attorneys for Defendant/Counterclaimant MGM
Grand Hotel, LLC and Defendant MGM Resort
International

17 **ORDER**

18 IT IS SO ORDERED.

20 IT IS FURTHER ORDERED that the hearing currently set for October 20, 2023 is
21 CONTINUED and RESET for November 13, 2023 at 10:00 a.m. in Courtroom 3A.

22 DATED: 9/28/2023

23 
24 DANIEL J. ALBREGTS
25 UNITED STATES MAGISTRATE JUDGE